

19-20-0103 Rec'd PCT/PTO 17 DEC 2004

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PTO-1390 (Rev. 12-2004)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER  
IRWZ 2 00280

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/518805

INTERNATIONAL APPLICATION NO.

PCT/DE2003/01861

INTERNATIONAL FILING DATE

5 June 2003

PRIORITY DATE CLAIMED

19 June 2002

TITLE OF INVENTION

CLOSURE COVER (As Amended)

APPLICANT(S) FOR DO/EO/US

Willibald Kraus

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

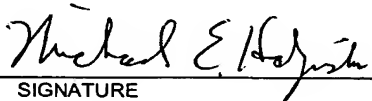
1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☒ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unexecuted)
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. (unexecuted)
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☒ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). (cover sheet only)
20. ☒ Other items or information: PCT/IPEA/409;PCT/IB/308;PCT/ISA/210;PCT/RO/101; Drawing Amend.

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/518805		PCT/DE2003/01861		TRWZ 2 00280	
21. The following fees are submitted:				Applicant use	Office use only
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00				\$ 300	
<input checked="" type="checkbox"/> b) Examination fee..... \$200.00				\$ 200	
<input checked="" type="checkbox"/> c) Search fee..... \$500.00				\$ 500	
TOTAL OF ABOVE CALCULATIONS = \$1000.00				\$1,000	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	5 - 20 =	0	x \$50.00	\$	
Independent claims	3 - 3 =	0	x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$1,000	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$1,000	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$1,000	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$1,000	
Amount to be refunded:					\$
Amount to be charged:					\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 1,000.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0308. A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: James W. McKee, Esq. Fay, Sharpe, Fagan, Minnich & McKee, LLP 1100 Superior Avenue, Seventh Floor Cleveland, OH 44114 (216) 861-5582 phone (216) 241-1666 fax					
				 SIGNATURE James W. McKee / Michael E. Hudzinski NAME 26,482 / 34,185 REGISTRATION NUMBER	

**10/518805**

**DT09 Rec'd PCT/PTO 17 DEC 2004**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF	:	Willibald KRAUS
FOR	:	<b>CLOSURE COVER</b> (as amended)
SERIAL NO.	:	Unknown
FILED	:	Herewith
EXAMINER	:	Unknown
ART UNIT	:	Unknown
CONFIRMATION NO.	:	Unknown
LAST OFFICE ACTION	:	None
ATTORNEY DOCKET NO.	:	TRWZ 2 00280

**VOLUNTARY SUBMISSION OF SUBSTITUTE SPECIFICATION  
UNDER 37 C.F.R. § 1.125**

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully requests that the attached specification be used as a substitute for the original specification as filed. It is respectfully submitted that the original specification is a direct literal translation of the German priority document and, accordingly, is not in proper idiomatic English. The attached substitute specification is in proper idiomatic English and is in compliance with 37 C.F.R. §1.52(a) and (b).


Applicant respectfully submits that the number and nature of the amendments that would be needed to put the original specification into proper idiomatic

English would render it difficult to consider the application and to arrange the papers for printing and copying. Accordingly, the attached substitute specification is submitted. By entering the enclosed substitute specification, the Office will receive the advantage of saving the time needed to enter the amendments into the specification and, further, realize a reduction in the number of printing errors that may arise.

Applicant respectfully submits that the attached substitute specification includes no new matter.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE LLP



James W. McKee, Reg. No. 26,482  
Michael E. Hudzinski, Reg. No. 34,185  
1100 Superior Avenue  
Seventh Floor  
Cleveland, Ohio 44114-2518  
(216) 861-5582

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Certificate of Mailing

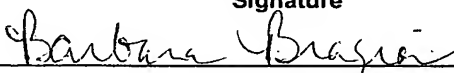
Under 37 C.F.R. § 1.8, I certify that this **Voluntary Submission of Substitute Specification** is being

☐ deposited with the United States Postal Service as First Class mail, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

☐ transmitted via facsimile in accordance with 37 C.F.R. § 1.8 on the date indicated below.

☒ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP \_\_\_\_, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<b>Express Mail Label No.:</b> EV 471020874 US
<b>Date</b> December 18, 2004

<b>Signature</b> 
<b>Printed Name</b> Barbara Brazier

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Willibald KRAUS  
FOR : CLOSURE COVER (as amended)  
SERIAL NO. : Unknown  
FILED : Herewith  
EXAMINER : Unknown  
ART UNIT : Unknown  
CONFIRMATION NO. : Unknown  
LAST OFFICE ACTION : None  
ATTORNEY DOCKET NO. : TRWZ 2 00280

REQUEST FOR AMENDMENT TO DRAWINGS

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Approval to amend Figs. 7 and 8 as illustrated in red in the enclosed drawing sheet is respectfully requested. A duplicate copy of this request is being submitted to the Official Draftsman.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE LLP



James W. McKee, Reg. No. 26,482  
Michael E. Hudzinski, Reg. No. 34,185  
1100 Superior Avenue  
Seventh Floor  
Cleveland, Ohio 44114-2518  
(216) 861-5582

10/518805

Request for Amendment to Drawings Dated December 18, 2004

DT09 Rec'd PCT/PTO 17 DEC 2004

## Certificate of Mailing

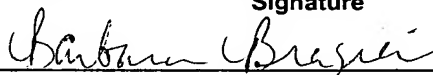
Under 37 C.F.R. § 1.8, I certify that this **Request for Amendment to Drawings** is being

☐ deposited with the United States Postal Service as First Class mail, addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

☐ transmitted via facsimile in accordance with 37 C.F.R. § 1.8 on the date indicated below.

☒ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP \_\_\_\_, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

<b>Express Mail Label No.:</b> EV 471020874 US
<b>Date</b> December 18, 2004

<b>Signature</b> 
<b>Printed Name</b> Barbara Brazier